

AMENDED IN SENATE MAY 20, 2009

AMENDED IN SENATE APRIL 27, 2009

SENATE BILL

No. 739

Introduced by Senator Strickland

(Coauthor: Senator Hancock)

(Coauthors: Assembly Members Anderson and Blakeslee)

February 27, 2009

An act to add Section 84307.5 to the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 739, as amended, Strickland. Political Reform Act of 1974: fundraising.

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, including restricting the circumstances under which a candidate for elective office or an elected officer may receive campaign contributions and proscribing the commingling of campaign funds and personal funds.

This bill would prohibit the spouse or domestic partner of an elected officer or a candidate for elective office from receiving compensation from campaign funds held by a controlled committee of the officer or candidate for services rendered *in connection with fundraising* for the benefit of the officer or candidate.

Existing law makes a willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties.

This bill would impose a state-mandated local program by creating additional crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 84307.5 is added to the Government
2 Code, to read:

3 84307.5. A spouse or domestic partner of an elected officer or
4 a candidate for elective office shall not receive compensation from
5 campaign funds held by a controlled committee of the elected
6 officer or candidate for elective office for services rendered *in*
7 *connection with fundraising* for the benefit of the elected officer
8 or candidate for elective office.

9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.

18 SEC. 3. The Legislature finds and declares that this bill furthers
19 the purposes of the Political Reform Act of 1974 within the
20 meaning of subdivision (a) of Section 81012 of the Government
21 Code.